Remarks/Arguments:

Claims 1-5 and 7-46 are pending in the application. Claims 12-43 are withdrawn.

35 U.S.C. § 102/103

Claims 1, 2, 4, 5, 7, 8, 10, 11, 45 and 46 are rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over U.S. 6,383,960 ("Everett"). Applicants respectfully traverse, for the following reasons.

All of the claims recite a core that comprises "a plurality of substantially continuous and coextensive filaments." A polymeric tow, such as that described throughout the present specification, is an example of a material that comprises a plurality of substantially continuous and coextensive filaments.

Applicants are unable to find mention of such a material in Everett. Rather, Everett discloses for layer 48 the use of a "fibrous material based on woven or nonwoven technology." (Col 21 lines 54-55) Specifically, he discloses bonded carded webs (Col 21, line 62) and spunbonded, meltspun, and airlaid fibrous materials (Col 22, lines 37-43). As is known in the art, the fibers in such materials are not substantially coextensive, but rather are disposed in a relatively random orientation. Applicants invite the Examiner's attention to their comments further below relating to the rejection over Erspamer, which shows micrographs of airlaid materials. Such materials do not comprise a plurality of substantially continuous and coextensive filaments, as recited in the claims. Thus, Everett does not teach this claim element, and therefore neither anticipation nor *prima facie* obviousness has been established. Therefore, the rejection should be withdrawn.

Separately, Applicants draw the Examiner's attention to the claim feature reciting "filaments having disposed on a surface thereof a layer comprising a superabsorbent material formed in place on the surface from a liquid superabsorbent polymer." For illustration, an exemplary embodiment of such filaments is shown in the present application at 218 in Figure 3. The specification describes Figure 3 as follows. "FIG. 3 shows a side cross section of an absorbent core 210 according to one exemplary embodiment of the invention in

which an expanded tow 110 (FIG. 2) has been treated on one side with a superabsorbent material to afford a layer of that material over at least selected surfaces of the filaments 218." (Page 7 at lines 29-32) The presence of a layer of superabsorbent material disposed on filament surfaces is indicated by the relatively thick lines at 218. (Applicants note that the claims require the layer of superabsorbent material to be formed in place on the surface of the filaments, not merely included in some other layer that contacts a layer that comprises a plurality of substantially continuous and coextensive filaments.)

The benefits conferred by filaments having disposed on a surface thereof a layer comprising a superabsorbent material formed in place on the surface from a liquid superabsorbent polymer are described in the specification, as follows. "The layer of superabsorbent polymer may be substantially continuous over the surface of the filaments, rather than in discrete clumps, thereby maximizing the available surface area per unit weight of superabsorbent polymer. In order to facilitate spreading of the liquid superabsorbent polymer over the surface of the filaments, surface modification techniques such as for example corona discharge treatment may be applied to the filaments." (Page 11, lines 8-13, emphasis added) Although a layer including a superabsorbent material formed in place on the surface of filaments from a liquid superabsorbent polymer maye optionally be supplemented by particulate superabsorbents, which typically are subject to shake-out problems, "These problems are largely avoided by the use of liquid superabsorbent polymers, which attach more firmly to the substrate." (Page 9 lines 15-16, emphasis added)

Applicants point out that, in contrast, Everett does not teach "filaments having disposed on a surface thereof a layer comprising a superabsorbent material" as recited in the claims. In fact, Everett does not teach a layer of superabsorbent material on any substrate. Rather, he teaches the sole use of particulate superabsorbent polymer, as shown at 102 in Figures 7, 8 and 9 and discussed at Col. 17, lines 36-37, and in considerable detail in Col. 15 at lines 54-67. He also mentions the use of a superabsorbent nonwoven material (Col 16, lines 20-21) and says that "The superabsorbent morphology may be particulate, fibrous, flake-like or combinations thereof." (Col 36, lines 64-65) However, Applicants can find no indication that Everett contemplates forming a layer of superabsorbent material disposed on any surface, much less disposed upon a plurality of substantially continuous and coextensive filaments as recited in the claims. Thus, Everett is also deficient as a reference with respect to this

additional claim element, and again neither anticipation nor *prima facie* obviousness has been established. Therefore, for this additional and separate reason, the rejection should be withdrawn.

Claims 1-5, 7-11, and 44-46 are rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over U.S. Pub. No. 2002/0013560 ("Erspamer"). Applicants respectfully traverse, for essentially the same reasons as cited above with respect to Everett. Erspamer does not teach an absorbent core that comprises a plurality of substantially continuous and coextensive filaments. Rather, he teaches that "the core may include one or more layers or strata of natural or synthetic fibers, hereinafter referred to as an 'absorbent layer.' Cellulosic fibers are preferred for use in the absorbent layer. The absorbent layer may be formed using wetlaid or airlaid techniques, although airlaid processes are preferred." (Paragraph [0046]) Photomicrographs of airlaid structures are shown in Figures 4-7, as Erspamer discusses in paragraph [0061]. These images do not show a plurality of substantially continuous and coextensive filaments. Erspamer also mentions several other specific core materials, saying that "Suitable partially fibrous or nonfibrous structures include spunbond webs, meltblown webs, coform webs, such as meltblown mixed with cellulose fibers, airlaid webs and bonded carded webs, differential basis weight nonwoven webs and high internal phase emulsion (HIPE) and other foam structures." (Paragraph [0098]) However, none of these comprises a plurality of substantially continuous and coextensive filaments. Therefore, Erspamer is deficient as a basis for either anticipation or *prima facie* obviousness, and the rejection should be withdrawn.

Separately, Applicants can find no reference in Erspamer to filaments having disposed on a surface thereof a layer comprising a superabsorbent material. Rather, Erspamer describes his use of superabsorbent polymers as follows: "Further, for improved absorption of fluids, superabsorbent polymers (SAP) may be incorporated into the absorbent layer. SAP may be incorporated into the absorbent layer as particles, granules, flakes, etc., and may be included as a discrete stratum or mixed with the fibers of the absorbent layer." (Paragraph [0046], emphasis added) The invention recited in claim 1 includes a layer comprising a superabsorbent material formed in place on the surface of filaments from a liquid superabsorbent polymer. Though this structure is optionally supplemented by the SAP of

Erspamer, Erspamer fails to disclose a layer comprising a superabsorbent material formed in place on the surface of filaments from a liquid superabsorbent polymer.

Nor can Applicants find reference in Erspamer to any solution of a superabsorbent polymer, such as might be suitable for forming a layer. Regarding solutions of superabsorbent polymer precursors, the only reference Applicants can find to such is in paragraph [0059], which indirectly alludes to the manufacture of particulate superabsorbent polymers from such solutions. Applicants further note that Erspamer refers to superabsorbent polymer particles as preferred embodiments of "functional particles." (Paragraph [0058]) In sum, Erspamer does not teach filaments having disposed on a surface thereof a layer comprising a superabsorbent material, and is deficient for this additional reason as a § 102/103 reference. Therefore, the rejection should be withdrawn.

35 U.S.C. § 103

Claims 9 and 44 are rejected under 35 U.S.C. § 103(a) as unpatentable over Everett in view of U.S. Pub. No. 2002/0002209 ("Mork"). The Examiner relies on Everett for all of the claim features with the exception of applying superabsorbent material in a pattern as claimed. However, Mork does not remedy the deficiencies of Everett with respect to a plurality of substantially continuous and coextensive filaments and filaments having disposed on a surface thereof a layer comprising a superabsorbent material. Therefore, not all of the claim elements are provided by the combination of Everett and Mork, and *prima facie* obviousness has not been established. Accordingly, the rejection should be withdrawn.

Claim 3 is rejected under 35 U.S.C. § 103(a) as unpatentable over Everett, as applied to claims 1, 2, 4, 5, 7, 8, 10, 11, 45 and 46 in view of Erspamer. Erspamer is relied on to provide substantially continuous and coextensive filaments comprising cellulose acetate. Erspamer appears to mention cellulose acetate only in paragraph [0052], where they are mentioned as "suitable synthetic matrix fibers." However, as noted hereinabove, they are not taught as substantially continuous and coextensive filaments, nor in fact is there any teaching in Everett or Erspamer regarding such. The references are also deficient with respect to the issue of filaments having disposed on a surface thereof a layer comprising a superabsorbent material. Accordingly, the rejection should be withdrawn.

Conclusion

In view of the remarks set forth above, Applicants respectfully submit that this application is now in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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